

178-1973/2

Washington, D.C. 20505

17 JUL 1978

Dear President Fleming:

It has come to my attention that your Academic Senate is considering a proposal, addressed to relationships with this Agency, which stipulates that the express prior consent of any individual member of the university community must be obtained before his or her name may be submitted by another member of the academic community as a potential CIA employee, consultant, or "agent." The last of these terms, incidentally, is not one we apply to our academic associates. Our term-of-art, which you may find no more attractive, though it does have the merit of accuracy, is "asset." I understand that the report to your Academic Senate also calls for special care to avoid "compromising" foreign students.

As I am sure you are aware, it is not at all uncommon for academic community members to be asked for information, including their personal recommendations, regarding colleagues or students by potential employers or others who have a legitimate need for that information. I am sure that you also know that these exchanges of inquiry and response often take place on the understanding that the information or recommendation is supplied in confidence. In this respect, this Agency behaves no differently than any employer.

Nevertheless, I want you to know that this Agency has no objection to the rule on personnel inquiries that is proposed, provided it is applied equally to all such inquiries. It does seem to me both inequitable and a potential disservice to the country to apply to inquiries from this Agency rules of procedure that do not apply to other applicants for personnel information or recommendations. Surely the Federal Government deserves no less consideration than is accorded other inquirers, including prospective private employers.

As to your foreign students, while I sympathize with the concern of your Academic Senate that they not be in any way "compromised," I fail to see why they should not be granted the same freedom of choice with regard to their own futures that American students enjoy. Beyond steps designed to identify individuals of possible interest to us it is not our practice to pursue personnel inquiries without informing the objects of those

inquiries of our interest. This rule is applied to Americans and to foreigners of interest to us alike. Furthermore, despite what you may have heard to the contrary, I can assure you that we do not engage in any practices vis-a-vis foreign students that might fairly be described as intimidating or coercive.

It is true that in some cases the personnel relationships contemplated by our approaches remain confidential, that is, their existence is not acknowledged outside the circle of those who initiate them. When this happens, the most common reason for it is the reluctance of our academic associates to acknowledge that the relationships exist, usually because they are fearful of the adverse effects that disclosure may have upon their professional careers. There are also, to be sure, rare instances when another reason prevails. These are the cases in which the service to be provided the Agency itself dictates a confidential relationship. I am aware that the knowledge that such relationships exist troubles the academic community. But I do not believe that the members of that community would favor making it impossible for me to assist the escape of an Einstein or a Solzhenitsyn from an oppressive homeland; nor do I believe that members of that community would deny their own country the kind of "strategic warning" I am charged to provide regarding crises in our international relations, or such information as this Agency can obtain regarding transnational terrorist organizations. It is rare indeed that academic community members become involved in foreign intelligence collection activities of which these are examples. Whether they should do so when the occasion arises, is, I believe, a problem for their personal decision.

It is sometimes suggested that we could solve all our problems with regard to the academic community by the simple expedient of banishing all elements of secrecy from our relation with its members. In fact, it is Agency policy to encourage openness in all its relations with the academic community to the maximum possible extent. Unfortunately, however, there are compelling reasons, derived both from the individual academic's rights of privacy and from my own statutory obligation to protect intelligence sources and methods, that prevent me from adopting that expedient course. I do what I can, which includes making certain that the private rights of our academic associates receive no less consideration from us than they would receive from other government or private institutions with which they might be associated, and that the exceptional cases of confidentiality remain exceptional.

Please feel free to pass this letter to your Academic Senate. In addition, if it should appear that we can be helpful by commenting on specific provisions of the policy the Academic Senate is considering, we are prepared to do so, either by correspondence or by sending one of my senior staff officers to answer questions and offer suggestions.

I should also like to use this opportunity to repeat my invitation to you to visit the Central Intelligence Agency for a day of discussions and meetings. I regret that you were unable to join the university presidents who visited us on 14 June. Our discussions on that occasion touched upon all the issues your Academic Senate has raised in considerable depth. You will be hearing from my office again as soon as we find we are able to schedule another such visit. I hope you can join us.

Yours sincerely,

/s/ Stansfield Turner

STANSFIELD TURNER

Dr. Robben W. Fleming, President
University of Michigan
Ann Arbor, Michigan 48109

Letter to Dr. Robben Fleming

Distribution:

Original - Addressee

1 - DCI

1 - DDCI

1 - ER

1 - D/NFAC

1 - DD/NFAC

1 - AD-M/NFAC

1 - AD-SS/NFAC

1 - DDO

3 - NFAC/CAR

1 - NFAC Registry

1 - A/DCI/PA (H. Hetu)

NFAC/CAR, (12 July 1978)

STAT